

REMARKS

This Response is submitted in reply to the Office Action dated April 8, 2008, issued in connection with the above-identified application. Claims 1-13 are pending in the application. Claims 1-13 have been rejected by this Office Action.

Double Patenting

The Office Action states that should Claims 5 and 12 be found allowable, Claims 6 and 13 will be objected to as being substantial duplicates thereof.

Applicants respectfully submit that Claims 6 and 13 have been canceled.

35 USC §103 Rejections

Claims 3-4 are rejected under 35 USC §103(a) as being unpatentable over *Shimizu* (U.S. Patent Application No. 2002/0162111) in view of *Buddhikot* (U.S. Patent No. 7,085,843). Claims 1, 2, 5, and 6-13 are rejected under 35 USC §103(a) as being unpatentable over *Shimizu* in view of Fujiwara (U.S. Patent No. 6,992,788) and further in view of *Buddhikot*. Applicants respectfully submit that Claims 1-5, 7 and 11-12 have been amended to traverse such rejection.

Claim 1 now reads, in part, “synthesis means for combining the second content with the first content in units of tiles, wherein a ranking and popularity are associated with each tile, the ranking having a predetermined associated content.” Claims 2-5 and 11-12 contain similar language.

The amendments are fully supported by the specification. For example, see the published patent application in paragraph [0107] stating, in part, “The data base 141 stores, correspondingly to popularity rankings 271, the file names 242 of image data to be substituted as specific tiles having the rankings. *The relationship between the rankings 271 and the file names 272 are determined in advance by the content creator such that, for example, rankings are assigned to the commercial image files of advertisers in the descending order of the money they have paid for advertisements.*” (emphasis added). Having predetermined content associated with the rankings allows the system to place, for example, more valuable images into more popular tiles.

The cited art does not disclose or suggest the ranking having a predetermined associated content. The reference *Buddikhot* merely discloses storing the popularity of content. For

example, see *Buddikhot* in column 11 lines 5-10. Additionally, the remaining cited art cannot be relied upon to cure the deficiencies of *Buddikhot*.

For at least the foregoing reasons, Applicants respectfully submit that Claims 1-5, 7 and 11-12, and the Claims that depend therefrom, are patentably distinguishable and in condition for allowance.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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